

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

Lucas C. Wynn,

Civ. File No. 05-2212 (PAM/JJG)

Plaintiff,

v.

**ORDER**

M. Connor, Warden Ferries,  
Sgt. Cortez, Dayton Burkholder, M.D.,  
and Correctional Medical Services,

Defendants.

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This matter is before the Court on the Report and Recommendation of Magistrate Judge Jeanne J. Graham dated January 10, 2008. Plaintiff did not file objections to the Report and Recommendation in the time period permitted. Accordingly, **IT IS HEREBY ORDERED** that:

1. Defendants' Motions for Summary Judgment (Docket Nos. 58 and 69) are **GRANTED**;
2. Defendant Burkholder's Motion to Dismiss (Docket No. 48) is treated as a Motion for Summary Judgment and is **GRANTED**; and
3. This action is **DISMISSED without prejudice**.

**LET JUDGMENT BE ENTERED ACCORDINGLY.**

Dated: February 11, 2008

s/Paul A. Magnuson  
Paul A. Magnuson  
United States District Court Judge